



Reprinted
March 18, 2003

ENGROSSED

HOUSE BILL No. 1331

DIGEST OF HB 1331 (Updated March 17, 2003 2:27 PM - DI 106)

Citations Affected: IC 10-8.

Synopsis: State flag for survivors of a deceased officer. Provides that a state flag be presented to the family of a member of the military or public safety officer who is killed in the line of duty.

Effective: July 1, 2003.

**Adams T, Alderman, Herrell,
Ruppel**

(SENATE SPONSORS — MEEKS C, SIPES, BREAUX,
YOUNG R MICHAEL)

January 14, 2003, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

February 6, 2003, amended, reported — Do Pass.

February 10, 2003, read second time, ordered engrossed. Engrossed.

February 11, 2003, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 24, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.

March 13, 2003, reported favorably — Do Pass.

March 17, 2003, read second time, amended, ordered engrossed.

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EH 1331—LS 6152/DI 14+



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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1331

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-8-2-5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 5. (a) For purposes of this section, "member of the**
4 **military or public safety officer" means an individual who is:**
5 (1) **a member of a fire department (as defined in IC 36-8-1-8);**
6 (2) **an emergency medical service provider (as defined in**
7 **IC 16-41-10-1);**
8 (3) **a member of a police department (as defined in**
9 **IC 36-8-1-9);**
10 (4) **a correctional officer (as defined in IC 5-10-10-1.5);**
11 (5) **a state police officer;**
12 (6) **a county police officer;**
13 (7) **a police reserve officer;**
14 (8) **a county sheriff;**
15 (9) **a deputy sheriff;**
16 (10) **an excise police officer;**
17 (11) **a conservation enforcement officer;**

EH 1331—LS 6152/DI 14+



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- (12) a town marshal;
- (13) a deputy town marshal;
- (14) a university police officer appointed under IC 20-12-3.5;
- (15) a probation officer;
- (16) a paramedic;
- (17) a volunteer firefighter (as defined in IC 36-8-12-2);
- (18) an emergency medical technician or a paramedic working in a volunteer capacity;
- (19) a member of the armed forces of the United States;
- (20) a member of the Indiana Air National Guard; or
- (21) a member of the Indiana Army National Guard.

(b) For purposes of this section, "dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that a member of the military or public safety officer, in the member of the military's or public safety officer's official capacity, is obligated or authorized by rule, regulation, condition of employment or services, or law to perform in the course of performing the member of the military's or public safety officer's duty.

(c) If a member of the military or public safety officer dies in the line of duty, a state flag shall be presented to:

- (1) the surviving spouse;
- (2) the surviving children if there is no surviving spouse; or
- (3) the surviving parent or parents if there is no surviving spouse and there are no surviving children.

(d) The state emergency management agency shall administer this section and may adopt rules under IC 4-22-2 to implement this section.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 13, delete "county".

Page 2, line 4, delete "or".

Page 2, line 5, delete "." and insert ";".

Page 2, between lines 5 and 6, begin a new line block indented and insert:

**"(17) a volunteer firefighter (as defined in IC 36-8-12-2); or
(18) an emergency medical technician or a paramedic
working in a volunteer capacity."**

and when so amended that said bill do pass.

(Reference is to HB 1331 as introduced.)

LYTLE, Chair

Committee Vote: yeas 13, nays 0.

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SENATE MOTION

Mr. President: I move that Senators Breaux and Young R Michael be added as cosponsors of Engrossed House Bill 1331.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Criminal, Civil and Public Policy, to which was referred House Bill No. 1331, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1331 as printed February 7, 2003.)

LONG, Chairperson

Committee Vote: Yeas 8, Nays 0.

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EH 1331—LS 6152/DI 14+



SENATE MOTION

Mr. President: I move that House Bill 1331 be amended to read as follows:

Page 1, line 3, delete ""public" insert ""**member of the military or public**".

Page 2, line 6, delete "or".

Page 2, line 8, after "capacity" delete "." and insert ";

(19) a member of the armed forces of the United States;

(20) a member of the Indiana Air National Guard; or

(21) a member of the Indiana Army National Guard."

Page 2, line 11, after "a" insert "**member of the military or**".

Page 2, line 11, after "the" insert "**member of the military's or**".

Page 2, line 12, after "officer's" insert "**official**".

Page 2, line 12, delete "as a public safety officer".

Page 2, line 14, before "public" insert "**member of the military's or**".

Page 2, line 16, before "public" insert "**member of the military or**".

(Reference is to EHB 1331 as printed March 14 , 2003.)

YOUNG R MICHAEL

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